

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
MIDLAND/ODESSA DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**JESSE RAY HARDEE**

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§

**Cause No: 7:19-CR-265(1)**

**MOTION TO WITHDRAW AS COUNSEL AND  
REQUEST FOR APPOINTMENT OF NEW COUNSEL**

**TO THE HONORABLE JUDGE OF SAID COURT:**

Now comes David G. Rogers, Movant, and brings this Motion to Withdraw as Counsel and Request for Appointment of New Counsel and in support thereof shows:

1. David G. Rogers was previously appointed to represent Defendant in this cause.
2. Good cause exists for withdrawal as counsel. Counsel and Defendant have an inability to effectively communicate. Further, the Defendant has advised Counsel that he is not being adequately represented by undersigned Counsel in this case. The Defendant advised Counsel that he has notified the Court regarding Counsel's ineffective representation. Counsel believes that the problems creating this inability to communicate are irreconcilable, and as such, Counsel should be relieved, and a new attorney should be appointed if Defendant cannot retain his own attorney.
3. This withdrawal is not sought solely for the purpose of delay, but that Defendant might be represented by counsel of his choice, or in the alternative, a different attorney.

**PRAYER**

**WHEREFORE, PREMISES CONSIDERED,** Movant prays that the Court will grant his motion to withdraw on the face of this pleading. In the Alternative, Defendant prays that the Court set this matter for hearing.

Respectfully submitted,

FIVECOAT & ROGERS, PLLC  
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Midland, TX 79701  
Tel: (432) 620-8774  
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By: 

David G. Rogers  
State Bar No. 00788310  
Attorney for Defendant

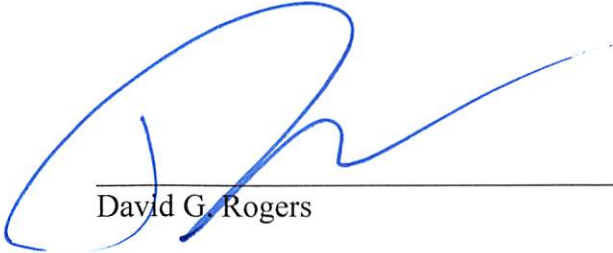
**CERTIFICATE OF CONFERENCE**

I, David G. Rogers, certify that on March 6, 2020, attempted to confer with all parties in the case. As of the time of the filing of this motion, I have secured the following responses:

James Glenn Harwood, A.U.S.A.    ☒ Not Opposed    ☐ Opposed    ☐ No Response

**CERTIFICATE OF SERVICE**

This is to certify that on March 6, 2020, the foregoing document was filed using the CM/ECF filing system, causing an electronic copy to be delivered to James Glenn Harwood, at the United States Attorney's Office.



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David G. Rogers